

ORDINANCE NO. 95- 43

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE 2010 FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING LAND USE ATLAS PAGE 83; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing ; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted public hearings on April 28 and August 25, 1995, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes at the conclusion of each public hearing; and

1 WHEREAS, the Palm Beach County Board of County
2 Commissioners, as the governing body of Palm Beach County,
3 conducted public hearings pursuant to Chapter 163, Part II,
4 Florida Statutes, on May 25, July 27, and October 26, 1995, to
5 review the recommendation of the Local Planning Agency; and

6 WHEREAS, the Palm Beach County Board of County Commissioners
7 has determined that the amendment complies with all requirements
8 of the Local Government Comprehensive Planning and Land
9 Development Regulation Act.

10 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
11 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

12 Part I. Amendment to the Future Land Use Atlas of the Land
13 Use Element of the 1989 Comprehensive Plan

14 An Amendment to the Land Use Element's Future Land Use Atlas
15 of the Palm Beach County 1989 Comprehensive Plan, is hereby
16 adopted as follows:

17 A. Future Land Use Atlas page 83 is amended as follows:

18 Application No.: SCA 95-4

19 Amendment: From 1.04 acres of Medium
20 Residential 5 (MR-5) to Commercial
21 Low-Office with an underlying
22 Medium Residential 5 (CL-O/5).

23
24 General Location: Northeast corner of Hypoluxo Road
25 and Congress Avenue.

26 Size: 1.04 acres

27
28 Legal description: Lots 1,2,3,4,5, and 6, Block 1,
29 Floral Park, according to the Plat
30 thereof recorded in Plat Book 23 at
31 page 129 of the public records of
32 Palm Beach County, FL, less the
33 right of way for Congress Avenue
34 and Hypoluxo Road, as described in
35 Official Record Book 3657, page

387, Palm Beach County public
records.

B. A map depicting the amendment is attached to this
ordinance as Exhibit 1.

Part V. Effective Date

This amendment shall not become effective until 31 days
after adoption. If challenged within 30 days after adoption,
this amendment shall not become effective until the state land
planning agency or the Administration Commission, respectively,
issues a final order determining the amendment is in compliance.

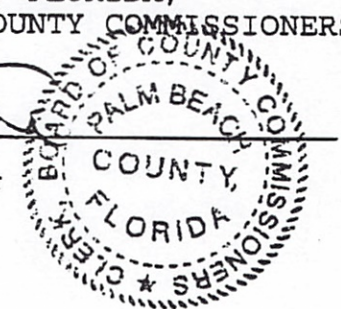
APPROVED AND ADOPTED by the Board of County Commissioners of
Palm Beach County, on the 26th day of October, 1995.

DOROTHY H. WILKEN

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Lina M. Blair
Deputy Clerk
Chair

By: [Signature]
Chair



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

Filed with the Department of State on the 3rd day of
November, 19 95.

(g:\common\wpdata\landuse\rbanks\sca95-4)